

FILED

APR 23 2002

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY _____
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

BYRON CHAPMAN,

Plaintiff,

No. CIV S-00-610 GGH

vs.

MONTEZUMA LODGE 172 IOOF, et al.,

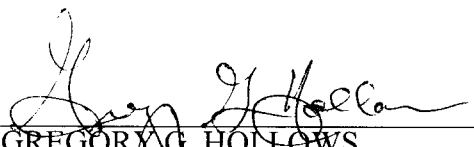
Defendants.

ORDER

Pursuant to a settlement agreement, the parties have lodged a "consent decree" in which the terms of the settlement are set forth. However, the consent decree expressly determines that there is no admission of liability, and judgment is not directed against defendants, the sine qua non of a consent decree. Therefore, the court interprets the "consent decree" as the filing of a settlement agreement and requesting dismissal of the case with the caveat that the court retains jurisdiction to enforce the terms of the agreement.

The Clerk is therefore ordered to dismiss the above captioned action. The court shall retain jurisdiction to enforce the terms of the settlement agreement.

DATED: April 22, 2002.



GREGORY G. HOLLOWES
UNITED STATES MAGISTRATE JUDGE

United States District Court
for the
Eastern District of California
April 23, 2002

* * CERTIFICATE OF SERVICE * *

2:00-cv-00610

Chapman

v.

Montezuma Lodge 172

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Eastern District of California.

That on April 23, 2002, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office, or, pursuant to prior authorization by counsel, via facsimile.

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VC/GGH

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Jack L. Wagner, Clerk

BY:

Deputy Clerk

